

To: Goforth, Kathleen[Goforth.Kathleen@epa.gov]; Skophammer, Stephanie[SKOPHAMMER.STEPHANIE@EPA.GOV]; Vendlinski, Tim[vendlinski.tim@epa.gov]; Kemmerer, John[KEMMERER.JOHN@EPA.GOV]; Erin Foresman[Foresman.Erin@epa.gov]
From: Johnson, Kathleen
Sent: Mon 8/31/2015 4:29:59 PM
Subject: RE: California WaterFix Water Right Change Petition

So.... Do I understand correctly that the State Board will not evaluate flow in approving/disapproving the placement of the new straw, and will do so in the ongoing Delta Plan discussion? Flow will be decided in phase 2 or phase 3 and what would the timing be?

Kathleen H. Johnson

Director, Enforcement Division

U.S. EPA - Region 9

75 Hawthorne Street ENF-1

San Francisco, CA 94015

415/972-3873

johnson.kathleen@epa.gov

From: Goforth, Kathleen
Sent: Friday, August 28, 2015 5:34 PM
To: Johnson, Kathleen
Subject: FW: California WaterFix Water Right Change Petition

DWR has been busy! Did Karla mention this, too?

Kathleen Martyn Goforth, Manager

Environmental Review Section (ENF-4-2)

U.S. Environmental Protection Agency, Region 9

75 Hawthorne Street

San Francisco, CA 94105

415-972-3521

From: Skophammer, Stephanie

Sent: Wednesday, August 26, 2015 5:04 PM

To: Goforth, Kathleen; Foresman, Erin; Hagler, Tom; Vendlinski, Tim

Subject: FW: California WaterFix Water Right Change Petition

DWR and Reclamation officially filed a petition for change in water right permit to add points of diversion on the Sacramento River from the BDCP/WaterFix.

Lots more in the link but I pulled the main point here.

In light of the different statutory and procedural requirements applicable to the State Water Board's water right and water quality processes, the State Water Board will concurrently review the change petition for the California WaterFix project separate from, and likely before completion of the Phase 2 update of Delta outflow and other flow objectives of the Board's Bay-Delta planning efforts. While Delta and Sacramento flow issues are raised in both proceedings, the Bay-Delta Plan update provides the opportunity for a more comprehensive assessment of Delta and Sacramento River flow issues. Any new flow objectives established in the Bay-Delta Plan update will lead to potential future changes in conditions of the CVP and SWP's water rights, regardless of whether a change petition for the California WaterFix project is approved.

As required by the Delta Reform Act, the State Water Board will consider the 2010 Delta flow criteria and include "appropriate Delta flow criteria," in any decision approving the petition. As discussed above, however, the 2010 Delta flow criteria are fundamentally different from water quality objectives because they were developed without taking into consideration competing beneficial uses of water. In addition, the 2010 Delta flow criteria do not address the relative responsibilities of DWR, Reclamation, and other water right holders for meeting water quality objectives. Likewise, the State Water Board's decision in the change petition proceeding will not determine whether any other water right holders should be required to make additional outflow contributions because that determination will occur in Phase 3.

Timeline

The State Water Board will issue a public notice of the change petition later this fall, which will include an anticipated schedule for processing the petition.

From: lyris@swrcb18.waterboards.ca.gov [<mailto:lyris@swrcb18.waterboards.ca.gov>]

Sent: Wednesday, August 26, 2015 4:51 PM

To: Skophammer, Stephanie

Subject: California WaterFix Water Right Change Petition

This is a message from the State Water Resources Control Board.

On August 26, 2015, the California Department of Water Resources and U.S. Bureau of Reclamation submitted a joint petition for change in water right permit and license conditions for the State Water Project and Central Valley Project to add points of diversion of water on the Sacramento River associated with the California WaterFix project. For additional information regarding this matter, please see the fact sheet and petition posted on the State Water Board's website at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/.

A public notice for the petition will be provided and posted on this website in the near future identifying how the public can provide input on this matter.

You are currently subscribed to bay_delta_notices as: skophammer.stephanie@epa.gov.

To unsubscribe click here: [leave-5590055-](#)

[601674.49f7df5a6a143e274c2c13f3d4a277b7@swrcb18.waterboards.ca.gov](#)

